

Amendments to the Drawing Figures:

The attached drawing sheet includes proposed changes to FIG. 1 and replaces the original sheet including FIGs. 1 and 2.

Attachment: Replacement Sheet

REMARKS / DISCUSSION OF ISSUES

Claims 1-8 are pending in the application. Claims 9-20 are newly added.

FIG. 1 of the drawings is replaced herein, to correct a mis-direction of reference numeral 16. No new matter is added.

The Examiner is respectfully requested to acknowledge the claim for priority and receipt of certified copies of all the priority documents.

Claims are amended for non-statutory reasons: to correct one or more informalities, remove figure label numbers, and/or to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in scope and no new matter is added.

New dependent claims 9 and 10 are added to at least partially restore the original range of claims that existed before multiple dependencies were removed in the preliminary amendment. No new matter is added.

The Office action objects to the specification and abstract. The applicant thanks the Examiner for this attention to detail. The specification is correspondingly amended and the abstract is replaced herein.

The Office action rejects claims 1, 4, 7, and 8 under 35 U.S.C. 102(b) over Scanlan (USP 6,625,701). The applicant respectfully traverses this rejection.

The Examiner's attention is requested to MPEP 2131, wherein it is stated:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1, upon which each of claims 2-8 depend, claims a loudspeaker that includes a bridging element that is secured to a movable part of the actuator and extends radially with respect to the translation axis, the diaphragm and the bridging element being interconnected at least at a radial distance to the translatable part of the actuator. Some of the advantages of providing a bridging element that binds the diaphragm at a radial distance from the actuator are presented at page 2, lines 1-15 of the applicant's specification.

Scanlan fails to teach a diaphragm and bridging element being interconnected at least at a radial distance to the translatable part of an actuator via a bridging element, and the Office action fails to identify where Scanlan provides this teaching.

Scanlan specifically teaches that the diaphragm ("paper or plastic cone") 12 is bounded directly to the translatable part of the actuator ("rear edge of coil former") 14 (Scanlan, column 2, lines 15-18). This direct bond between the cone 12 and former 14 is specifically noted by Scanlan to be significant:

"Cone 12 and the rear edge of coil former 14 are then bonded to spider 10 in groove 11... A particularly important advantage of groove 11 can be seen by comparing neck joint 50 with a prior art neck joint 250... The neck joint according to the invention shown in FIGS. 5 and 6 has a significantly larger bond area to form a stronger joint." (Scanlan, column 2, lines 48-64.)

Scanlan teaches a solo direct connection of the diaphragm of the loudspeaker to the movable actuator, and does not teach a bridging element that is secured to the actuator and interconnected to the diaphragm at a radial distance from the actuator, as specifically claimed in claim 1.

Because Scanlan fails to teach a bridging element that is secured to a movable part of the actuator and extends radially with respect to the translation axis, the diaphragm and the bridging element being interconnected at least at a radial distance to the translatable part of the actuator, as specifically claimed in claim 1, the applicant respectfully maintains that the rejection of claims 1, 4, 7, and 8 under 35 U.S.C. 102(b) over Scanlan is unfounded, per MPEP 2131.

The Office action rejects:

claims 2, 3, and 6 under 35 U.S.C. 103(a) over Scanlan, Borwick ("Loudspeaker and Headphone Handbook"), and Devantier et al. (USP 6,327,372, hereinafter Devantier); and

claim 5 under 35 U.S.C. 103(a) over Scanlan, Borwick, Devantier, and Boniface (USPA 2002/0094105).

The applicant respectfully traverses these rejections. Each of the rejected claims are dependent upon claim 1, and in each of these rejections, the Office action relies upon Scanlan for teaching the elements of claim 1.

The Examiner's attention is requested to MPEP 2142, wherein it is stated:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) **must teach or suggest all the claim limitations**... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

As noted above, Scanlan fails to teach the elements of claim 1. Therefore, the applicant respectfully maintains that the rejections of claims 2-6 under 35 U.S.C. 103(a) that rely upon Scanlan for teaching the elements of claim 1 are unfounded, per MPEP 2142.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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